

EXHIBIT G

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOHN O'HARA,

Plaintiff,

vs.

THE CITY OF NEW YORK, PATRICIA L.
HYNES, as Administrator of the Estate of
Charles J. Hynes, ADA JOHN P. O'MARA,
ADA ANGELO M. MORELLI, ADA DINO
AMOROSO, DET. INVESTIGATOR
ALLEN PRESSER, ASSEMBLYMAN
JAMES F. BRENNAN, JOHN W.
CARROLL, ESQ., JOHN KEEFE and
JEFFREY WAITE,

Defendants.

**OBJECTIONS TO SUBPOENA DUCES
TECUM PURSUANT TO FRCP
45(d)(2)(B)**

Docket No. 17-CV-4766 (ILG)(RML)

TO: Dennis J. Kelly, Esq.
Kelly, Grossman & Kerrigan, LLP
1248 Montauk Highway
West Islip, NY 11795

Pursuant to Fed. R. Civ. P. 45(d)(2)(B), the Kings County District Attorney's Office ("KCDA") submits the following objections to Plaintiff's subpoena, received by the KCDA on February 16, 2022:

OBJECTIONS

1. The subpoena is facially defective for a multitude of reasons, including:
 - a. Failure to set out the text of Fed. R. Civ. P. 45;
 - b. Failure to provide sufficient time to respond; and
 - c. Plaintiff's failure to notify other defendants prior to forwarding subpoena to the KCDA.
2. The subpoena was not properly served.

3. The subpoena was improperly forwarded to the KCDA prior to the time permitted under Fed. R. Civ. P. 26.

4. The subpoena is vague, overbroad, imposes an undue burden, and calls for the production of records that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

5. The subpoena improperly seeks an excess of records that are not proportional to the needs of the case.

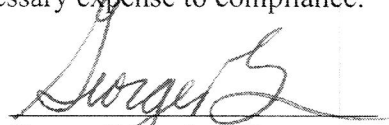
6. The subpoena requests records that are privileged from disclosure pursuant to the attorney-client privilege, the work product doctrine, the law enforcement privilege and/or the deliberative process privilege, along with other privileges and immunities.

7. The subpoena requests records that are privileged pursuant to New York State law, including, but not limited to, the fact that certain records are sealed as a matter of law.

8. The subpoena imposes the undue burden of producing electronically-stored information from sources that are not reasonably accessible, including, without limitation, electronically-stored information on the KCDA's electronic archival system or that would otherwise require restoration from back-up tapes.

9. The subpoena requests records that are not in the possession, custody or control of the KCDA.

10. The subpoena requests records that are already in the possession of the Plaintiff and, therefore, would be cumulative and add unnecessary expense to compliance.


George B. Forbes, Esq.
Assistant District Attorney
**Kings County District
Attorney's Office**

Dated: February 25, 2022